



AIR LINE PILOTS ASSOCIATION, INTERNATIONAL

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February 9, 1999

Mr. Thomas E. McSweeney
Associate Administrator for Regulation and Certification
Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, D.C. 20591

Dear Mr. McSweeney:

The Air Carrier Operations Issues Group of the FAA's Aviation Rulemaking Advisory Committee (ARAC) received a task to recommend to the FAA a performance-based or other regulatory scheme whereby the public is ensured that each flight crewmember is provided with sufficient rest to safely perform flight deck duties at a minimal cost to certificate holders and operators. The Reserve Duty/Rest Requirements Working Group was established to perform this task.

Two co-chairmen were appointed to this working group: H. Clayton Foushee, Ph.D., with Northwest Airlines, and Donald E. Hudson, M.D., with Aviation Medicine Advisory Service. Realizing the difficult and contentious nature of the task, the services of Mr. Phil Harter, with The Mediation Consortium, were enlisted as moderator. We want to thank the FAA for graciously making Mr. Harter available.

The task was to address all commercial aviation operations under both Part 121 and 135 rules. The great majority of the time was spent developing proposals for Part 121 scheduled operations.

Scientific Literature

The working group did not conduct a detailed review of the scientific literature available on fatigue. The working group was able to agree on two broad scientific principles in regard to fatigue:

- Humans generally need the opportunity to acquire approximately eight hours of sleep per 24 hour period, and
- Fatigue is more probable during the time encompassing approximately 0200 to 0600, which roughly corresponds to the low point in an average human's circadian cycle.

The working group agreed that reserve duty is neither rest nor duty.

The industry/labor representatives include detailed scientific citations in their submission.

Reserve Scheduling

There are a wide variety of reserve rest schemes currently in use in the industry. The industry/management representatives prefer a flexible scheduling approach with approval given

by the FAA at individual airlines for individual operations. The industry/labor representatives prefer a more structured approach.

After several public meetings, two basic scheduling schemes were proposed for providing reserve pilots the opportunity for rest or limiting the duty day based upon the amount of advance notice of flight assignment:

- A scheduled protected time period for all reserve pilots with the use of advance notification to either cancel a scheduled protected time period or to utilize a reserve on a sliding scale where the length of the duty day would be dependent on the amount of advance notification, and
- Limiting the duty day based upon the amount of advance notification for a flight assignment.

Consensus

ARAC proposals are based on developing consensus within the working group. The services of Mr. Harter were used to assist in this regard. After a great deal of discussion and give-and-take on the part of all concerned, the working group realized that consensus would not be possible. At that point, the labor and management representatives were asked to develop proposals that would address their individual concerns and issues.

These proposals are presented to provide the FAA the various industry concerns and the rationale for their respective positions.

Industry Proposals

The industry/management representatives final proposal for Part 121 scheduled operations provides a minimum eight hour rest period or 10 hours of advance notification, under most circumstances, prior to a flight assignment.

Industry/management representatives (Helicopter Association International) propose a scheme for Part 135 on-demand air charter operations which include scheduled reserve and extended reserve, with provisions for operational delays.

Industry/management representatives (National Air Transport Association and National Business Aircraft Association) also address such reserve-related issues as rest, opportunity time, duty, and standby in Part 135 unscheduled operations.

Industry/labor representatives propose a minimum prospective protected time period of 10 hours during a 24-consecutive hour period for all Part 121 operations. The protected time period may be rescheduled only under specific circumstances and an available duty assignment is limited in relation to the preceding protected time period.

Industry/labor representatives (International Brotherhood of Teamsters, et al.) propose that protected time period and reserve availability period methodologies apply to all commercial air carriers. They proposed that non-scheduled and Part 135 carriers be provided an alternative method for reserve assignments where it can be validated that the previous methodology cannot be applied.

This summary of industry proposals is necessarily very abbreviated and may miss some essential concerns and elements. It is provided only to give a flavor for the detailed proposals.

Economic Impact

Industry/management representatives compiled economic data pertaining to the cost of their proposal for Part 121 scheduled operations. They estimate there would be approximately \$100 million in incremental costs to the major operators that provided economic data, primarily Air Transport Association member airlines.

No economic data were provided by smaller Part 121 or Part 135 operators.

The working group was unable to provide additional economic analyses comparing the various proposals.

Summary

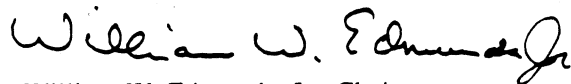
A great deal of honest effort and serious consideration went into developing these proposals. The working group engaged in an intense meeting schedule, essentially monthly, and much work was performed preparing for meetings. The working group is to be commended for this dedication.

Special thanks are due to Dr. Foushee and Dr. Hudson for their dedication and sincere efforts on behalf of bringing this task to fruition.

While the casual observer may see great differences among these proposals, it is essential to concentrate on the common elements. They can serve as a basis for action by the FAA in the rulemaking arena.

Thank you for the opportunity to be of service.

Sincerely,

A handwritten signature in dark ink, appearing to read "William W. Edmunds, Jr.", with a stylized flourish at the end.

William W. Edmunds, Jr., Chairman
ARAC Air Carrier Operations Issues Group

Enclosure